

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

LARRY MCIVER,

Plaintiff,

vs.

TARGET CORP., et al.,

Defendant.

CASE NO. 08cv132-IEG (WMc)

ORDER FOLLOWING EARLY
NEUTRAL EVALUATION
CONFERENCE, SETTING RULE 26
COMPLIANCE AND NOTICE OF
CASE MANAGEMENT
CONFERENCE

On April 4, 2008, the Court convened an Early Neutral Evaluation Conference in the above entitled action. Appearing for Plaintiff were Lynn Hubbard, Esq.(counsel for plaintiff). Appearing for Defendants were Steve Shonack, Esq.(counsel for defendants), Robert Naeve, Esq.(counsel for defendants), Merrit Jones, Esq.(counsel for defendants), David Drexler, Esq.(counsel for defendants), Henry Sanchez, Esq.(counsel for defendants), Lynne Hook, Esq.(counsel for defendants), Eudeen Chang, Esq.(counsel for defendants). .

Settlement could not be reached in the case at this time.

The Court discussed compliance with Fed. R. Civ. P. 26 and based thereon, issues the following orders:

1. The Rule 26(f) conference shall be completed before *May 2, 2008*;
2. A discovery plan shall be lodged with Magistrate Judge McCurine, Jr. on or before *May 16, 2008*. Regarding each witness, the discovery plan will include the name, most

1 current address, most current phone number, and a brief description of the subject
2 matter of his/her testimony. The discovery plan will also include the anticipated dates
3 for the completion of both non-expert discovery and expert discovery; and,

4 3. The date of initial disclosure pursuant to Rule 26(a)(1)(A-D) shall occur before *May*
5 *23, 2008*;

6 4. **COUNSEL AND PARTIES WITH FULL SETTLEMENT AUTHORITY ARE**
7 **ORDERED TO APPEAR on June 16, 2008 at 2:00 p.m.** in the chambers of United
8 States Magistrate Judge William McCurine, Jr., 940 Front Street, Courtroom C, San
9 Diego, California, 92101, for a Case Management Conference pursuant to Federal
10 Rule of Civil Procedure 16(b). **Full authority to settle means that the individual**
11 **present at the settlement conference has the unfettered discretion and authority**
12 **to: 1) fully explore settlement options and to agree at that time to any settlement**
13 **options; 2) agree at that time to any settlement terms acceptable to the parties;**
14 **3) change the settlement position of a party; and 4) negotiate monetary awards**
15 **without being restricted to a specific sum certain.**

16 Failure of any counsel or party to comply with this Order will result in the imposition of
17 sanctions.

18 IT IS SO ORDERED.

19 DATED: April 7, 2008

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21 Hon. William McCurine, Jr.
22 U.S. Magistrate Judge
23 United States District Court
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